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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,401	03/09/2004	Michael Cafaro	HEL177/4-11US

CONFIRMATION NO. 9021

## FORMALITIES LETTER



\*OC000000013508276\*

21586  
 VINSON & ELKINS, L.L.P.  
 1001 FANNIN STREET  
 2300 FIRST CITY TOWER  
 HOUSTON, TX 77002-6760

Date Mailed: 08/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-4.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$900 for a Large Entity

08/31/2004 AADDF01 00000050 10796401

01 FC:1001  
 02 FC:1051

770.00 OP  
 130.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

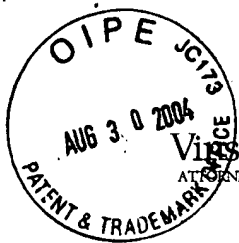
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*A copy of this notice MUST be returned with the reply.*

T. TU  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**Vinson & Elkins**  
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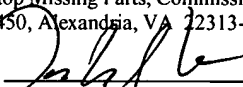
August 25, 2004

**MAIL STOP MISSING PARTS**  
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**CERTIFICATE OF MAILING**

I, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

August 25, 2004  
Date

  
Timothy S. Corder

*Re: U.S. Patent Application Serial No. 10/796,401 entitled "VARIABLE ION HAIR STYLING APPLIANCES" by Michael Cafaro; Confirmation No. 9021  
Our Ref. No.: HEL177/4-11US*

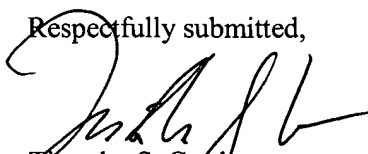
Sir:

Enclosed for filing in the above-referenced patent application is:

1. Response to 37 C.F.R. § 1.53(d) Notice;
2. Declaration;
3. Power of Attorney;
4. Copy of Notice to File Missing Parts;
5. Credit Card Payment Form for \$900.00; and
6. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

The Commissioner is hereby authorized to charge \$900.00 as indicated on the enclosed Credit Card Payment Form. If the referenced authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is authorized to appropriately deduct or credit the requisite amount from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/HEL177/4-11US.

Respectfully submitted,

  
Timothy S. Corder  
Reg. No. 38,414

9282:5588

Enclosures

466013\_1.DOC



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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August 25, 2004

Date

Timothy S. Corder

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael Cafaro

Serial No.: 10/796,401

Filed: March 9, 2004

For: VARIABLE ION HAIR STYLING  
APPLIANCES

Group Art Unit: 3749

Examiner: Unknown

Atty. Dkt. No.: HEL177/4-11US

Confirmation No. 9021

**RESPONSE TO 37 C.F.R. § 1.53(b) NOTICE**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b) dated August 11, 2004 (the "Notice"), there are enclosed herewith:

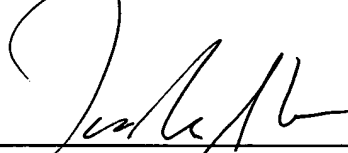
- (a) Declaration;
- (b) Power of Attorney;
- (c) Credit Card Payment Form in the amount of \$900.00 to cover the basic filing fee (\$770.00), and surcharge for late filing (\$130.00); and
- (d) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

An Assignment to Helen of Troy Limited along with a check for \$40.00 are being filed under separate cover.

If the referenced authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is authorized to appropriately deduct or credit the requisite amount from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/HEL177/4-11US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



---

Timothy S. Corder  
Reg. No. 38,414  
Agent for Applicant

Vinson & Elkins L.L.P.  
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1001 Fannin  
Houston, Texas 77002-6760  
512-542-8446

Date: August 25, 2004